

86-1-10. Approval of courses of instruction; procedure. (a) Definitions.

(1) "School" means an entity that is eligible under subsection ~~(g)~~(h) of K.S.A. 58-3046a, and amendments thereto, to offer courses approved by the commission.

(2) "Cosponsor" means an entity that is not eligible to offer courses approved by the commission under subsection ~~(g)~~(h) of K.S.A. 58-3046a, and amendments thereto. However, the entity shall be eligible to offer courses approved by the commission if the entity is sponsored by an entity described in paragraph (a)(1) and the requirements of subsection (i) are met.

(b) Request for course approval. To obtain commission approval of a course of education required by K.S.A. 58-3046a, and amendments thereto, each school shall meet the following ~~conditions~~ requirements:

(1) Notify the commission of the name, address, and telephone number of the coordinator who will supervise the course; and

(2) submit all information required by the commission for course and instructor approval at least 45 days before the first scheduled class session. The information shall include the following:

(A) A completed application for course registration on a form that has been obtained from the commission;

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(B) an application for real estate instructor, completed in accordance with subsection (g) of ~~this regulation~~;

(C) the procedure for maintenance of attendance records;

(D) the proposed dates, times, and locations of the course offering;

(E) the total amount of the attendance fee for the course;

(F) the total number of class sessions;

(G) the ~~time spent per~~ duration of each session;

(H) the total number of hours in the course; and

(I) the course objectives and a detailed course outline.

(c) Preliminary notification of approval or disapproval. Within 15 working days after the commission receives the request for approval, the school shall be notified by the commission, in writing, of the commission's decision to approve or disapprove the course.

(1) In each notice of approval, the number of hours of credit to be given for attending the course shall be stipulated by the commission.

(2) If the commission requires additional time to reach a decision, the school shall be notified by the commission, in writing, of the following:

(A) The fact that the course is under review; and

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(B) the date by which the commission expects to complete its review.

(d) The school shall remit the course fee prescribed by K.A.R. 86-1-5 if the commission notifies the school of tentative approval of the course. The course shall not receive final approval from the commission until the commission receives the course fee.

(e) Changes. Each school shall notify the commission, in writing, at least 15 days before a significant change in a course approved by the commission.

(1) A The term "significant change" shall include a change in any of the following:

- (A) The coordinator;
- (B) the instructor;
- (C) the name or location of the school;
- (D) the course outline;
- (E) the dates and times the course is offered;
- (F) the location where the course is offered; or
- (G) the fees charged to students.

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(2) Nothing in this regulation shall preclude the commission from approving substitution of an instructor to teach an approved course, if the instructor meets the qualifications specified in subsection (g) of ~~this regulation.~~

(f) ~~Correspondence and home study program~~ Distance education courses.

(1) Each school requesting approval of a ~~correspondence or home study program~~ distance education course shall submit the following information:

(A) A copy of all course materials, including textbooks, student workbooks, and examinations with answers;

(B) the time frame for completion of the course; and

(C) the time allotted for examinations and the method by which examinations will be proctored.

(2) A school may issue a certificate of completion of a ~~correspondence or home study program~~ distance education course approved by the commission to meet any requirement of K.S.A. 58-3046a, and amendments thereto, to any student if the student has met either of the following ~~conditions~~ requirements:

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(A) Received a score of at least 70 percent on a proctored closed-book examination, in which case the proctor shall complete and provide to the school with a certification form approved by the commission for each examination administered by the proctor; or

(B) received a score of at least 90 percent on an open-book examination.

(g) Request for instructor approval; notification of approval or disapproval. Each person desiring to teach a course approved by the commission shall submit an application for instructor approval on a form obtained from the commission. Each instructor shall ~~show~~ indicate evidence of knowledge of the subject matter and the ability to effectively instruct or evidence that the instructor has received a commission-approved designation.

(1) Knowledge of the subject matter shall be shown by meeting at least one of the following requirements:

(A) Holding a college degree in real estate or a college degree in law, business, or another academic area directly related to the course that the applicant intends to ~~instruct~~ teach; or

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(B) having at least three years of experience in the professional area of real estate directly related to the course that the applicant intends to instruct teach.

(2) The ability to effectively instruct teach shall be shown by meeting at least one of the following requirements:

(A) Having completed, within the preceding two years, a commission-approved course of study for instructors designed to develop the ability to communicate;

(B) holding a current teaching certificate issued by a state department of education or an equivalent agency in another jurisdiction;

(C) holding a four-year college or university degree in the field of education; or

(D) having successfully demonstrated the ability to teach in schools, seminars, or an equivalent setting.

(3) (A) Within 15 working days of receipt of an application for instructor approval, the school coordinator shall be notified by the commission, in writing, of its decision to approve or disapprove the instructor.

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(B) If the commission requires additional time to reach a decision, the school coordinator shall be notified by the commission, in writing, of the fact that the application is under review and of the date by which the commission expects to complete its review.

(h) Registration of approved courses; application for renewal.

(1) The registration of courses approved by the commission shall expire at the end of each calendar year.

(2) Applications to renew approval of courses and instructors shall be sent to each school by the commission by November 1.

(i) Sponsoring courses. A school may request approval of a course that is developed and presented by a cosponsor.

(1) The school shall submit an application that has been obtained from the commission for approval of a sponsored course.

(2) The school shall maintain responsibility for each course presented by a cosponsor, including issuance of a certificate of satisfactory completion to each student who successfully completes the course. The school shall submit a roster to the commission, in a format approved by the commission, that specifies which ~~student~~ students satisfactorily completed the course. (Authorized by K.S.A. 2006 Supp. 58-

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3046a, as amended by 2007 HB 2295, sec. 6, and 2000 Supp. K.S.A. 74-
4202(b); implementing K.S.A. 2000 2006 Supp. 58-3046a, as amended by
2007 HB 2295, sec. 6; effective, T-83-32, Oct. 25, 1982; effective May 1,
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amended May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May
1, 1987; amended Jan. 29, 1990; amended July 16, 1990; amended Nov.
17, 1995; amended Dec. 14, 2001; amended, T-_____, _____.)

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